

PUBLIC MATTER

FILED

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**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – SAN FRANCISCO**

In the Matter of

DAVID M. SMITH,

Member No. 242063

A Member of the State Bar.

) Case No.: **10-PM-06307-LMA**

) **ORDER GRANTING RESPONDENT'S**
) **MOTION FOR EXTENSION OF TIME**
) **TO PAY DISCIPLINE COSTS**



On March 20, 2012, petitioner David M. Smith filed a motion for relief or extension of time to pay discipline costs in the above-captioned case. The motion included a financial statement supporting the motion based on financial hardship. (Rules Proc. of State Bar, rule 1.30(B)(2).) The Office of Probation did not file a response to the motion.

After carefully considering the parties' contentions, the court finds that petitioner has demonstrated financial hardship. Accordingly, the court **GRANTS** petitioner's request to extend time to pay disciplinary costs.

In view of petitioner's financial hardship and good cause appearing, the court **ORDERS** petitioner to pay the disciplinary costs in three equal installments along with his membership fees commencing with the 2013 billing cycle. In accordance with Business and Professions Code section 6086.10, one-third of the costs must be paid with petitioner's membership fees for the years 2013, 2014 and 2015. It is further ordered that if petitioner fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and

payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California. (Rules Proc. of State Bar, rule 5.134.) The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

IT IS SO ORDERED.

Dated: April 18, 2012



LUCY ARMENDARIZ
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on April 18, 2012, I deposited a true copy of the following document(s):

**ORDER GRANTING RESPONDENT'S MOTION FOR EXTENSION OF TIME TO
PAY DISCIPLINE COSTS**

in a sealed envelope for collection and mailing on that date as follows:

- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

DAVID M. SMITH
LAW OFFICE OF DAVID M SMITH
850 3RD ST STE C
SANTA ROSA, CA 95404

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

TERRIE L. GOLDADE, Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 18, 2012.



Bernadette C.O. Molina
Case Administrator
State Bar Court